

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

IN RE:

Majid R Ghazi

Debtor(s)

Case No.: 09 B 41839

Chapter: 13

Judge A. Benjamin Goldgar

**RESPONSE TO TRUSTEE NOTICE OF FINAL MORTGAGE CURE FILED ON 4/11/11
AND STATEMENT OF OUTSTANDING MORTGAGE OBLIGATIONS**

TO: Glenn B. Stearns, Chapter 13 Trustee, 4343 Commerce Court, Suite 120, Lisle, IL 60532
Majid R Ghazi, Debtor(s), 698 Overlook Trail, Round Lake, IL 60073
Joseph P. Doyle, Attorney for Debtor(s), 105 S. Roselle Road Suite 203, Schaumburg, IL 60193

On April 11, 2011, the Chapter 13 Trustee filed two Notices of Final Mortgage Cure Amount, both as to GMAC.

GMAC MORTGAGE, LLC AS SERVICER FOR THE BANK OF NEW YORK TRUST COMPANY AS INDENTURE TRUSTEE OF SERIES 2007-HE2 is filing a response to the Trustee's Notice of Final Mortgage Cure filed on 4/11/11. One was presumably intended to apply to the first lien and the Statement of Outstanding Post-Petition Mortgage Obligations filed as docket entry 48. To the extent that either notice was intended to apply to the second mortgage lien, respondent states as follows:

The confirmed plan does not provide for the cure and maintenance of the second mortgage loan under Paragraph E.5., but treats the loan under Paragraph G. Accordingly, the Notice of Final Mortgage Cure provisions do not apply as to the Second Lien. Accordingly, the amount due under the loan secured by the second lien against the property is not affected by the Trustee's notice, and pursuant to the terms of the agreed judgment order entered on March 12, 2010, in adversary proceeding 10-00070, unless the plan completed and debtor is granted a Chapter 13 Discharge, the amounts due under the loan be determined under the terms of the underlying note and mortgage.

Pursuant to terms of the confirmed plan, no post-petition payments have been made on the loan secured by a second lien, and as of the date of the trustee's notice, the loan would be post-petition due for all payments and late charges coming due since January, 2010.

Pursuant to the terms of the confirmed plan, if no challenge to these obligations is made by motion filed with the court and served on the undersigned and the trustee within thirty days of this notice or by 06/25/11, GMAC MORTGAGE, LLC AS SERVICER FOR THE BANK OF NEW YORK TRUST COMPANY AS INDENTURE TRUSTEE OF SERIES 2007-HE2's rights to collect these amounts will remain unaffected.

PROOF OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice upon the parties listed above, by causing same to be mailed in a properly addressed envelope, postage prepaid, from 7140 Monroe Street, Willowbrook, IL 60527, before the hour of 5:00 PM on May 26, 2011.

/s/ Maria Georgopoulos
Attorney for Creditor

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C&A FILE (14-09-37308)

NOTE: This law firm is deemed to be a debt collector.